

REMARKS

In accordance with the foregoing, the claims remain unamended. Claims 1-16 are pending and under consideration.

The sole issue raised in the outstanding Office Action is a rejection of claims 1, 2, and 4-16 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2005/0108075 to Douglis et al. According to §102(e), a claim can be rejected if the claim is described in a published patent application filed by another in the United States before the date of invention. Douglis et al. was filed on November 18, 2003. The present application claims priority to Japanese Application No. 2003-027133 filed on February 4, 2003. Therefore, the date of invention is at least as early as February 4, 2003. Clearly, November 18, 2003 is not before February 4, 2003. Therefore, Douglas et al. is not available as prior art under §102(e). For this reason, withdrawal of the anticipation rejection is requested.

Claim 3 is indicated as containing allowable subject matter.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: Sept 5, 2006

By: Mark J. Henry
Mark J. Henry
Registration No. 36,162

1201 New York Avenue, NW, 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501